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PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number Application Number 10/665,272 Filing Date RANSMITTAL September 17, 2003 First Named Inventor **FORM** David Russell King Art Unit 3636 FEB 2 2 2005 **Examiner Name** Peter R. Brown (to be used for all gorrespondence after initial filing) Attorney Docket Number Total Numbers Pages in This Submission FB0756US (#90400) 13 **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Drawing(s) Fee Transmittal Form Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC X (Appeal Notice, Brief, Reply Brief) Petition Amendment/Reply Petition to Convert to a **Proprietary Information** After Final **Provisional Application** Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please Identify Terminal Disclaimer **Extension of Time Request** below): return postcard receipt Request for Refund **Express Abandonment Request** CD, Number of CD(s)_ Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name D. Peter Hochberg Co., L.P.A. Signature Printed name D. Peter Hochberg Reg. No. Date 24,603

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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02/14/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

David Russell King & Steven Higgs

Serial No.

10/665,272 / Conf. No. 5469

Filing Date

September 17, 2003

Examiner

Peter R. Brown

Group Art Unit

3636

Title

A BACKREST ASSEMBLY FOR A SEATING

ARRANGEMENT

Attorney File

FB0756US (#90400)

Mail Stop Amendment Commissioner for Patents P.O. Box 1450

Alexandria, Virginia 22313-1450

Reply to Office Action Issued November 15, 2004

Dear Sir:

In response to the Office action dated November 15, 2004, please amend the above identified application without prejudice as follows: